

# Memorandum

MIAMI-DADE  
COUNTY

**Date:** June 16, 2005

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** George M. Burgess  
County Manager

IM&FR

AGENDA ITEM NO. 3A14

**Subject:** Acceptance of Conveyance of 185.20 acres of land known as the Landmark Learning Center located at the NW Quadrant of NW 47<sup>th</sup> Avenue and NW 199<sup>th</sup> Street, Miami-Dade County - Folio No. 30-1131-001-0020

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## **RECOMMENDATION:**

It is recommended that the Board, subject to the approval of the Governor and Cabinet of the State of Florida, (1) accept approximately 185.20 acres of land (presently containing approximately 378,000 square feet of buildings) known as Landmark Learning Center (Landmark), located at the northwest quadrant of NW 47<sup>th</sup> Avenue and NW 199<sup>th</sup> Street, in unincorporated Miami-Dade County, as described in the attached Quitclaim Deed (Exhibit "A") from the State of Florida Board of Trustees of the Internal Improvement Trust Fund; and (2) authorize the Mayor to execute the attached "Release of Deed Restriction" (Exhibit "B") on said land. It is further recommended that the Board authorize the Manager to enter into the attached Interim Management Agreement (Exhibit "C") giving the County management authority at Landmark from August 1, 2005 until October 1, 2005, when the State conveys the property, in order to continue providing the essential public services offered there to the citizens of Miami-Dade County.

In order to convey the property, the State of Florida also requires a resolution from the County officially requesting the property. There is a companion item on today's agenda containing said resolution.

**CONVEYOR:** State of Florida Board of Trustees of the Internal Improvement Trust Fund

**TAX FOLIO NUMBER:** 30-1131-001-0020

**SIZE:** 185.20 acres

**LOCATION:** 20600 NW 47th Avenue, Miami (District 1), northwest quadrant of NW 47th Avenue and NW 199th Street in unincorporated Miami-Dade

**ZONING:** 7100 Industrial. A change may be requested through a Governmental Facilities hearing before the Board as recommended future development may require.

**PURCHASE PRICE:** \$10.00

**BACKGROUND:**

The subject property was conveyed by the County to the Board of Commissioners of State Institutions of the State of Florida on August 27th 1963, with a deed restriction limiting the use to development of a Sunland Training Center. The Landmark Learning Center (Landmark) was subsequently built. In 1970, the State of Florida Board of Trustees of the Internal Improvement Trust Fund (TIITF) acquired title to the center and leased it to the Department of Health and Rehabilitative Services, now the Department of Children and Families (DCF), who has been administering the site since that time. Over the years, portions of the property have been converted to other public uses including a County Fire Station, juvenile justice facility, and a State distribution warehouse. DCF recently turned over administration of the property to the newly created Agency for Persons with Disabilities (APD).

Due to budgetary constraints, the State is preparing to close the facilities at Landmark on June 30, 2005. Over the past year, the County has been working closely with the Florida Department of Children and Families regarding the future of Landmark because of the impact the closing would have upon the community. The programs currently operating at Landmark provide foster care and essential services to persons with disabilities; the State's proposed actions would force them to cease operations. Programs such as His House, the Association for Retarded Citizens, and the North Dade Regional Academy have no other location from which to operate and, in fact, require additional space to accommodate the increased caseloads referred by the State.

**JUSTIFICATION:**

The property is comprised of approximately 240 acres, of which 105 acres are developed with 378,000 square feet of buildings, including residential facilities, office space, storage space, laundry facilities, a chapel, a large food preparation area, gymnasium, swimming pool, and other support facilities. The site also contains Miami-Dade Fire Rescue Station No. 51, Honey Hill, through a long-term lease with the State, which would be unnecessary if the County becomes the owner of the property. The northern portion of the parcel contains the remaining 135 acres: 90 acres are completely undeveloped; approximately 19.86 acres are occupied by a large warehouse facility known as Noor Investment Corporation (formerly Agripost); and approximately 24.94 acres are leased to the Florida Department of Juvenile Justice (DJJ) where they operate a Halfway House.

In response to an employee suggestion regarding the closure of the Landmark Learning Center and potential alternate uses in October 2003, the General Services Administration (GSA) staff contacted the State to determine the disposition of the property. Staff has since met on numerous occasions with the State, who immediately declared their intention to close the Landmark facility on June 30, 2005 unless either the lessees paid adequate rent to cover the operating expenses required to keep Landmark open or another entity took control of the property.

The Department of Human Services, Parks and Recreation, Miami-Dade Housing and the Office of Emergency Management (for a Community Emergency Response Team Training - CERT City) have all been identified as potential users at Landmark should the property be conveyed to the County. In June 2004, His House made a proposal to the State to allow them to extend their lease, to expand their operation into vacant, existing facilities and, with the assistance of the Hector Family Foundation, to develop longer term housing for single mothers with children.

The Association for Retarded Citizens has also indicated that it would like to increase its presence at Landmark and Easter Seals has expressed an interest in opening a facility on the site for individuals with special needs. Additionally, Miami Dade College expressed serious interest in developing future facilities within Landmark.

On June 1, 2005, the State Department of Environmental Protection, Division of State Lands proposed that 185.20 acres of the property be given to the County if the County agrees to simultaneously remove the deed restriction, limiting the use to development of a Sunland Training Center, on the entire property (Exhibit "D"). The State would remain the owners of the properties occupied by Noor, DJJ and an additional 10 acres of vacant land south of DJJ. Because the County's primary interest is continuing the social services jeopardized by the State's closure of the facility, as well as the potential for future development of the 90 vacant acres, accepting this proposal is in the best interest of the County.

Staff is working toward a smooth transition to prevent a disruption in the critical services provided on site. In order to ensure continuity of services, the State has agreed to allow the County to manage the property from August 1, 2005 until October 1, 2005 through the attached Interim Management Agreement (IMA). This will provide sufficient time for Committee and Board approval as well as subsequent approval by the State TIITF at its August 9, 2005 meeting. If approvals are secured, the closing will be scheduled for October 1, 2005.

Staff has worked with the State to determine a reasonable budget for the remainder of fiscal year 2004 – 2005 and for fiscal year 2005 – 2006. This budget includes provision of essential services such as utilities, grounds maintenance, security and emergency repairs to uninhabited buildings. GSA staff has completed an initial survey of the property to determine the condition of the facilities. It appears that three of the unoccupied buildings will require demolition while the remaining properties appear to be in good condition requiring little or no repairs. It should be noted that repairs to all inhabited buildings are the responsibility of the Tenants.

**DEVELOPMENT:** GSA will lead a team of real estate development, planning and user representatives to draw up a development plan for Landmark for approval by the Board. GSA expects to present a plan for consideration by the Board at the end of fiscal year 2005 -2006.

**FISCAL IMPACT:** The Property Appraiser's current assessed value of the entire parcel including the buildings is \$25,812,179. There would be no loss of property tax revenues if conveyed to the County because the State as owner is also tax exempt. If approved, the County will acquire the property for \$10.00. Operating expenses for August and September 2005 (the term of the Interim Management Agreement) are anticipated to be \$342,000. FY2005-06 operating expenses are projected to be \$1,698,903, which would be partially offset by rental income.

**FUNDING SOURCES:** Rent from Tenants and General Fund. The rent based on existing leases for the months of August and September 2005 (the term of the IMA) is \$32,463.00. The State is attempting to increase the rents so that the new revenue would be \$96,901.67 for that two-month period. The rental income following September 30, 2005 would be subject to negotiations between the County and the current tenants. If the Board approves this item, a budget amendment would be required to fund the balance of the operating expenses for FY04-05 and recurring expenses in FY05-06.

  
Assistant County Manager




# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** July 7, 2005

**FROM:**   
Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No.

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No.

Veto \_\_\_\_\_

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING, THE ACCEPTANCE OF A QUITCLAIM DEED FOR 185.20 ACRES OF LAND AND IMPROVEMENTS LOCATED ON THE NORTH WEST QUADRANT OF NW 47<sup>TH</sup> AVENUE, AND NW 199<sup>TH</sup> STREET; AUTHORIZING THE MAYOR TO EXECUTE THE RELEASE OF DEED RESTRICTION ON THE ENTIRE PROPERTY; AUTHORIZING THE EXECUTION OF AN INTERIM MANAGEMENT AGREEMENT WITH THE STATE OF FLORIDA, AGENCY FOR DISABLED PERSONS FOR THE PURPOSE OF PROVIDING ADDITIONAL PUBLIC SERVICES TO THE CITIZENS OF MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby authorizes the acceptance of a Quitclaim Deed, substantially in the form attached hereto, once approved by the Trustees of the Internal Improvement Trust Fund, for 185.20 acres of land and improvements located on the North West quadrant of NW 47<sup>th</sup> Avenue and NW 199<sup>th</sup> Street; and the Release of Deed Restriction on the entire property, substantially in the form attached hereto, signed by the Mayor for and on behalf of Miami-Dade County; the the Board authorizes the execution of the Interim Management Agreement with the State of Florida, Agency for Disabled Persons, substantially in the form attached hereto, for the purpose of providing additional public services to the citizens of Miami-Dade County; and authorizes the County Manager to exercise any and all rights conferred therein.

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The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Dr. Barbara Carey-Shuler
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of July, 2005. This Resolution and contract, if not vetoed, shall become effective in accordance with Resolution No. R-377-04.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as \_\_\_\_\_  
to form and legal sufficiency. 

By: \_\_\_\_\_  
Deputy Clerk

COUNTY EXHIBIT "A"  
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT  
TRUST FUND OF THE STATE OF FLORIDA

QUITCLAIM DEED

Deed Number 31446

KNOW ALL MEN BY THESE PRESENTS: That WHEREAS, the BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA is by Section 253.03, Florida Statutes, authorized and empowered to convey certain lands under the terms and conditions set forth herein; and,

WHEREAS, said BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA did approve this transfer on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

NOW, THEREFORE, the undersigned BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, as "GRANTOR", under authority of Section 253.03, Florida Statutes, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable considerations, to it in hand paid by MIAMI-DADE COUNTY, FLORIDA, a political subdivision of the State of Florida, as "GRANTEE," has remised, released, conveyed and quitclaimed, and by these presents does remise, release, convey and quitclaim unto GRANTEE, its successors and assigns forever, all the right, title, interest, claim and demand

COUNTY EXHIBIT "A"  
GRANTOR may have in and to the following described land in Miami-  
Dade County, Florida, to-wit:

(EXHIBIT "A" ATTACHED)

TO HAVE AND TO HOLD the above-described lands subject to all  
outstanding easements, reservations and other interests.

IN TESTIMONY WHEREOF, the members of the BOARD OF TRUSTEES  
OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA  
have hereunto subscribed their names and have caused the  
official seal of said BOARD OF TRUSTEES OF THE INTERNAL  
IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA to be hereunto  
affixed in the City of Tallahassee, Florida, on this \_\_\_\_ day of  
\_\_\_\_\_, A.D. 20\_\_\_\_.

(SEAL)  
BOARD OF TRUSTEES OF THE  
INTERNAL IMPROVEMENT  
TRUST FUND OF THE STATE  
OF FLORIDA

\_\_\_\_\_  
JEB BUSH  
GOVERNOR

\_\_\_\_\_  
CHARLIE CRIST  
ATTORNEY GENERAL

\_\_\_\_\_  
TOM GALLAGHER  
CHIEF FINANCIAL OFFICER



COUNTY EXHIBIT "A"

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CHARLES H. BRONSON  
COMMISSIONER OF AGRICULTURE

As and Constituting the BOARD  
OF TRUSTEES OF THE INTERNAL  
IMPROVEMENT TRUST FUND OF THE  
STATE OF FLORIDA

APPROVED AS TO FORM AND  
LEGALITY

By: \_\_\_\_\_  
DEP Attorney

COUNTY EXHIBIT "A"  
EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

Tracts 33 to 46, both inclusive, and Tracts 57 to 66, both inclusive, in Section 31, Township 51 South, Range 41 East, of THE EVERGLADES SUGAR & LAND CO. SUBDIVISION, according to the plat recorded in Plat Book 2 at Page 39 of the Public Records of Dade County, Florida.

LESS AND EXCEPT:

Department of Juvenile Justice Facility

A PORTION OF TRACTS 35, 36, 37, 38, 39, 40, 41 AND 42, SECTION 31 TOWNSHIP 51 SOUTH RANGE 41 EAST, "THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 39 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the intersection of the East Line of the Southeast one quarter (S.E.1/4) of said Section 31 with the Centerline of the NW 206<sup>th</sup> Terrace per "SECOND ADDITION TO CAROL CITY GARDENS", according to the Plat thereof, as recorded in the Plat Book 68, Page 95 of the Public Records of Miami-Dade County Florida; thence North 01°33'57" West, along the East Line of said Section 31, a distance of 142.99 feet; thence South 88°28'26" West, a distance of 1113.01 feet; thence North 01°31'34" West, a distance of 267.67 feet, thence South 88°28'26" West, a distance of 63.35 feet; thence North 00°58'57" West, a distance of 214.23 feet to the POINT OF BEGINNING of the Parcel of land hereinafter described; thence continue North 00°58'57" West, a distance of 53.74 feet; thence North 87°57'41" East, a distance of 249.60 feet; thence North 01°38'04" West, a distance of 445.48 feet; thence south 88°08'40" West, along the South Right-Of-Way Line of the Snake Creek Canal (a.k.a. Canal C-9), as shown on the South Florida Water Management Right-of-Way Maps, Drawing C-9-20, sheets 23, 24, and 25, dated May, 1994, a distance of 2200.02 feet; thence South 01°38'40" East, a distance of 500.00 feet; thence North 88°08'04" East, along a line 500 feet South of, as measured at right angles to, the South Right-of-Way Line of said Snake Creek Canal, a distance of 1949.81 feet to a POINT OF BEGINNING.

Said Lands lying and being in Miami-Dade County, Florida and containing 24.942 acres (more or less).

All of the foregoing subject to any easements and restrictions of record.

COUNTY EXHIBIT "A"

ALSO LESS AND EXCEPT:

Noor Investment Facility

Parcel 1

A PORTION OF TRACTS 33, 34, 35, AND 36, SECTION 31 TOWNSHIP 51 SOUTH RANGE 41 EAST, "THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 39 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the intersection of the East line of said Section 31 with the Centerline of NW 206<sup>th</sup> Terrace per "SECOND ADDITION TO CAROL CITY GARDENS", Plat Book 68, Page 35, Dade County Public Records, thence run N 01°33'57" W, 142.99 feet along the East line of Said Section 31; thence run S 88°28'26" W, 115.67 feet to the POINT OF THE BEGINNING; thence continue S 88°28'26" W, 997.34 feet; thence run N 01°31'34" W 267.67 feet; thence run S 88°28'26" W, 63.35 feet; thence run N 00°58'57" W, 267.97 feet to a street, fence post; thence run N 87°57'41" E, 249.60 feet to a steel fence post; thence run N 01°38'04" W, 389.40 feet; thence run N 88°02'11" E, 728.29 feet to a point of curve of a curve to the right having a radius of 30 feet; thence run Southeasterly 46.31 feet along the arc of said curve through a central angle of 88°26' to a point of tangency; thence run S 03°31'49" E 58.26 feet to a point of curve of a curve to the left having a radius of 78 feet; thence run Southeasterly 86.28 feet along the arc of said curve through a central angle of 63°22'30" to a point; thence run S 01°46'14" E, 777.55 feet to the POINT OF BEGINNING.

Said described Lands lying and being in Miami-Dade County, Florida and containing 19.79 acres (more or less) and being subject to easements and reservations of record.

Parcel 2

An easement for the purpose of ingress and egress over and across a parcel of land lying in Section 31 Township 51 South Range 41 East, more particularly described as follows:

Commencing at the intersection of the East line of said Section 31 with the Centerline of NW 206<sup>th</sup> Terrace per the Record Plat of the "SECOND ADDITION TO CAROL CITY GARDENS", Plat Book 68, at Page 35, of the Public Records of Dade County Public Records, thence run N 01°33'57" West along said East Section Line for 142.99 feet; thence run South 88°28'26" West for 65.00 feet to a point of the Westerly Right-of-Way line of NW 47<sup>th</sup> Avenue (A.K.A. State Road #847); thence run North 01°33'57" West along said right-of way line for 0.02 feet to the Point of Beginning of the herein described parcel (said Point of Beginning being the point of curvature of the curve concave to the Southwest); thence run northwesterly along the arc of said curve to the left having a radius of 25 feet. A central angle of 89°57'37" and arc distance of 39.25 feet; thence South 88°28'26" West for 25.78 feet; thence North 01°46'14" feet West for 60.00 feet; thence North 88°28'26" East for 25.96 feet to the point of curvature of a curve concave to the Northwest; thence along the arc of said curve to the left having a radius of 25 feet, a central angle of 90°02'23", and arc distance of 39.29 feet; thence South 01°33'57" East for 110.00 feet to the Point of Beginning.

Said Lands lying and being in Miami-Dade County, Florida and containing 0.076 acres (3320 square feet) more or less.

COUNTY EXHIBIT "A"

ALSO LESS AND EXCEPT:

Future 10-Acre State Facility

(Legal description to be provided)

COUNTY EXHIBIT "B"  
TERMINATION AND RELEASE OF RESTRICTION

THIS TERMINATION AND RELEASE OF RESTRICTION is made this \_\_\_\_ day of \_\_\_\_\_, 2005, by MIAMI-DADE COUNTY, FLORIDA, a political subdivision of the State of Florida.

WHEREAS, MIAMI-DADE COUNTY, formerly known as Dade County, by that certain deed recorded in Official Records Book 3794, Page 51, Public Records of Miami-Dade County, Florida ("Deed"), conveyed certain lands more particularly described in the Deed (the "Lands") to the Board of County Commissioners of State Institutions of the State of Florida; and

WHEREAS, the Deed contains the following deed restriction ("Restriction") on the Lands:

"This conveyance is made for the purpose of providing a site for the construction and operation of a Sunland Training Center in accordance with the provisions of Chapter 63-62, Laws of Florida;"

WHEREAS, the BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA ("Board") acquired the Lands by that certain deed recorded in Official Records Book 7088, Page 990, Public Records of Miami-Dade County, Florida, subject to the Restriction; and

WHEREAS, Board is desirous of conveying a portion of the Lands to County ("County Lands"); and

WHEREAS, as consideration for the Board conveying the County Lands to the County, the County has agreed to release the Restriction on the Lands, including the County Lands.

NOW THEREFORE, in consideration of the premises

Page 2 of 3  
Release of Restriction

and other good and valuable consideration, the receipt of which is hereby acknowledged,  
COUNTY hereby terminates, releases and cancels the Restriction and the Restriction shall be  
of no further force or effect.

IN WITNESS WHEREOF, the County has caused this Termination and Release of  
Restriction to be executed the day and year first above written.

MIAMI-DADE COUNTY, FLORIDA,  
By its Board of County Commissioners

By: \_\_\_\_\_ (SEAL)

\_\_\_\_\_  
Print/Type Name

Title: \_\_\_\_\_

(OFFICIAL SEAL)

Attest: \_\_\_\_\_

\_\_\_\_\_  
Print/Type Name

Title: \_\_\_\_\_

Page 3 of 3  
Release of Restriction

CONSENT

The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, as the owner of the Lands, hereby consents to this Termination and Release of the Restriction from the Lands.

BOARD OF TRUSTEES OF THE INTERNAL  
IMPROVEMENT TRUST FUND OF THE  
STATE OF FLORIDA

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print/Type Witness Name

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print/Type Witness Name

STATE OF FLORIDA  
COUNTY OF LEON

By: \_\_\_\_\_ (SEAL)  
DEBORAH POPPELL, ASSISTANT  
DIRECTOR, DIVISION OF STATE  
LANDS, DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by Deborah Poppell, as Assistant Director, Division of State Lands, Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. She is personally known to me.

(SEAL)

\_\_\_\_\_  
Notary Public, State of Florida

\_\_\_\_\_  
Print/Type Notary Name

Commission Number: \_\_\_\_\_

My Commission Expires:

Approved as to Form and Legality

By: \_\_\_\_\_  
DEP Attorney

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June 6, 2005

Jeb Bush,  
Governor  
..  
Shelly Brantley,  
Director  
..  
4030 Esplanade  
Way,  
Suite 380  
Tallahassee,  
Florida  
32399-0950  
..  
(850) 488-4257  
Fax: (850) 922-6436

Mr. Leland S. Salomon, Chief  
Real Estate Development  
General Services Administration  
Miami-Dade County  
111 NW 1st Street, Suite 2410  
Miami, Florida 33128

RE: Interim Management Agreement  
Landmark Learning Center Property  
Miami-Dade County, Florida  
Miami-Dade County Folio No. 30-1131-001-0020

Dear Mr. Salomon:

An agenda item is currently being prepared by the Division of State Lands, Department of Environmental Protection, for the August 9, 2005, meeting of the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund, regarding approval of the conveyance of the Landmark Learning Center property, Miami Dade Folio No. 30-1131-001-0020, to Miami-Dade County. However, the County will need interim management authority for the Landmark property until the conveyance is approved and a Quitclaim Deed is granted.

The Interim Management Agreement (IMA), as set forth in this letter, shall grant the authority for the interim management of the Landmark Learning Center property to Miami-Dade County as described below. This authorization shall take effect on August 1, 2005 and shall continue through September 30, 2005 or until such time as the conveyance is approved and the Quitclaim Deed is granted, whichever occurs first. In the event that the conveyance is not approved and the Quitclaim Deed not issued by September 30, 2005, the County shall have the sole option to extend this IMA for an additional period of 30 days.

Beginning August 1, 2005, all revenues resulting from all leases on the Landmark property will either be paid directly to the County or transferred from the Agency for Persons with Disabilities (the State) to the County in the event these revenues continue to be paid to the State. The State will extend all existing leases on the Landmark property due to expire on June 30, 2005 (but not lease additional space) until September 30, 2005, with a provision allowing the State to extend for an additional 30 days in the event the County exercises its sole option to extend this IMA as described in the paragraph above.

The Miami-Dade County will pay the expenses of running the common areas (i.e., those lands not under lease to current tenants of the State) of the Landmark property including the utilities, the grounds maintenance, and the security (but in no event shall the County be responsible for any building maintenance or repairs) during the term of the IMA. All utility accounts shall remain in the name of the State during the term of the IMA.

The State will provide the County with copies of all the leases of all current tenants of the Landmark property.

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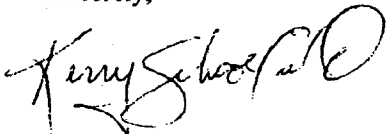
The State will provide the County with copies of any contracts relating to operating the common areas, which will become the responsibility of the County.

Subject to the limitations on the waiver of sovereign immunity provided in section 768.28, Florida Statutes, the County shall indemnify and hold the State harmless for any and all personal injury or property damage claims, liabilities, losses and causes of action which may arise solely as a result of the negligence of the County. However, nothing herein shall be deemed to require the County to indemnify the State for any liability or claim arising out of the negligent performance or failure of performance of the State or any unrelated third party.

It is understood and agreed that the only relationship being created by the IMA is between the State and Miami-Dade County and not between the County and any of the Tenants currently under lease to the State.

Acceptance of this IMA in no way waives the authority and/or jurisdiction of any governmental entity. If the terms of the interim management responsibility as described in this letter are acceptable, please sign where indicated and return a copy to me at the letterhead address.

Sincerely,



Kerry Schoolfield  
Deputy Director of Operations

Miami-Dade County accepts the terms of the interim management agreement for the Landmark property as set forth in this letter.

AGREED by Miami-Dade County

\_\_\_\_\_  
George M. Burgess  
County Manager

Date \_\_\_\_\_

Attachment



Jon Bush  
Governor

# Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Colleen M. Castille  
Secretary

June 1, 2005

Mr. Leland S. Salomon, Chief  
Real Estate Development  
General Services Administration  
Miami-Dade County  
111 NW 1<sup>st</sup> Street, Suite 2410  
Miami, Florida 33128

RE: Landmark Learning Center

Dear Mr. Salomon:

As we discussed last week, the Division of State Lands (DSL) is prepared to recommend to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (BOT) that the BOT convey to Miami-Dade County (County) approximately 185.20 acres of the State's property known as the Landmark Learning Center (Center). The BOT will retain title to a 19.86-acre parcel currently occupied by Noor Investment Corp. (Noor), a 24.94-acre parcel occupied by the Department of Juvenile Justice (DJJ), and an additional 10-acre parcel located immediately south of the existing DJJ facility for future state agency use. The Center will be conveyed to the County pursuant to Section 253.111, F.S. DSL's Bureau of Appraisal is currently assessing the value of the property. As consideration for the conveyance, the County will execute a release of deed restriction on the Noor property, the DJJ property, and the additional 10-acre parcel. DSL will be responsible for providing a survey of the 10-acre parcel.

The request is scheduled for the BOT agenda on August 9, 2005, and execution of the deed will take an additional 6-8 weeks. Transfer of the property is proposed for October 1, 2005. The Agency for Persons With Disabilities (APD) will amend three subleases on the property with the North Dade Regional Academy, Inc., His House, Inc., and The Association for Retarded Citizens, South Florida, Inc., to extend the terms until October 1, 2005, and to provide for payment of sublease revenues to APD or its contractors. APD will coordinate with your office to develop an interim management letter/agreement that will allow the County to take over management of the APD leasehold area until October 1, 2005, including receipt of revenues from the sublease areas. If the County wishes to continue the programs after October 1, 2005, it will be responsible for negotiating new agreements directly with the three entities.

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COUNTY EXHIBIT "D"

Mr. Leland S. Salomon

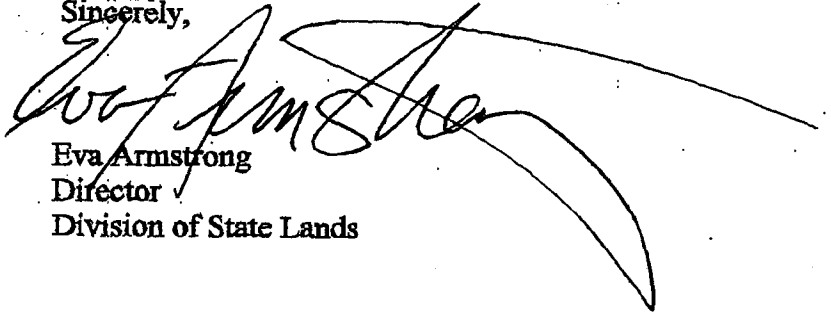
June 1, 2005

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A draft agenda item is being prepared and a copy will be forwarded for your review as soon as it is available. DSL staff is also working on a Release of Deed Restriction for the three properties the BOT will retain in state ownership.

If you have any questions, Ms. Tracy Peters is the staff person with the Bureau of Public Land Administration assigned to handle the transfer. Ms. Peters may be reached at (850) 245-2772.

Sincerely,

A large, stylized handwritten signature in dark ink, appearing to read 'Eva Armstrong', is written over the typed name and title.

Eva Armstrong

Director

Division of State Lands

EA/tp

COUNTY EXHIBIT "D"

